

House Engrossed

State of Arizona
House of Representatives
Forty-sixth Legislature
First Regular Session
2003

CHAPTER 152

HOUSE BILL 2121

AN ACT

AMENDING SECTIONS 11-1001, 11-1008 AND 11-1012, ARIZONA REVISED STATUTES;
RELATING TO ANIMAL CONTROL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 11-1001, Arizona Revised Statutes, is amended to read:

11-1001. Definitions

In section 13-1208 and in this article, unless the context otherwise requires:

1. "Animal" means any animal of a species that is susceptible to rabies, except man.

2. "At large" means being neither confined by an enclosure nor physically restrained by a leash.

3. "County board of health" means the duly constituted board of health of each county.

4. "County enforcement agent" means that person in each county who is responsible for the enforcement of this article and the rules adopted under this article.

5. "County pound" means any establishment authorized by the county board of supervisors for the confinement, maintenance, safekeeping and control of dogs and other animals that come into the custody of the county enforcement agent in the performance of his official duties.

6. "Department" means the department of health services.

7. "Impound" means the act of taking or receiving into custody by the county enforcement agent any dog or other animal for the purpose of confinement in a county pound in accordance with the provisions of this article.

8. "Kennel" means an enclosed, controlled area, inaccessible to other animals, in which a person keeps, harbors or maintains five or more dogs under controlled conditions.

9. "Livestock" means neat animals, horses, sheep, goats, swine, mules and asses.

10. "Owner" means any person keeping an animal other than livestock for more than six consecutive days.

11. "Rabies quarantine area" means any area in which a state of emergency has been declared to exist due to the occurrence of rabies in animals in or adjacent to this area.

12. "Stray dog" means any dog four THREE months of age or older running at large that is not wearing a valid license tag.

13. "Vaccination" means the administration of an anti-rabies vaccine to animals by a veterinarian.

14. "Veterinarian", unless otherwise indicated, means any veterinarian licensed to practice in this state or any veterinarian employed in this state by a governmental agency.

15. "Veterinary hospital" means any establishment operated by a veterinarian licensed to practice in this state that provides clinical facilities and houses animals or birds for dental, medical or surgical treatment. A veterinary hospital may have adjacent to it or in conjunction

1 with it or as an integral part of it pens, stalls, cages or kennels for
2 quarantine, observation or boarding.

3 16. "Vicious animal" means any animal of the order carnivora that has
4 a propensity to attack, to cause injury to or to otherwise endanger the
5 safety of human beings without provocation, or that has been so declared
6 after a hearing before a justice of the peace or a city magistrate.

7 Sec. 2. Section 11-1008, Arizona Revised Statutes, is amended to read:

8 11-1008. license fees for dogs; issuance of dog tags;
9 classification

10 A. The board of supervisors of each county may set a license fee which
11 shall be paid for each dog four THREE months of age or over that is kept,
12 harbored or maintained within the boundaries of the state for at least thirty
13 consecutive days of each calendar year. License fees shall become payable
14 at the discretion of the board of supervisors of each county. The licensing
15 period shall not exceed the period of time for revaccination as designated
16 by the state veterinarian. License fees shall be paid within ninety days to
17 the board of supervisors. A penalty ~~not to exceed~~ FEE OF two dollars shall
18 be ~~added to the license fee in the event that~~ PAID IF THE LICENSE application
19 is made LESS THAN ONE YEAR subsequent to the date on which the dog is
20 required to be licensed under the ~~provisions of~~ this article. IF THE LICENSE
21 APPLICATION IS MADE ONE YEAR OR LATER FROM THE DATE ON WHICH THE DOG IS
22 REQUIRED TO BE LICENSED, AN ADDITIONAL PENALTY FEE OF TEN DOLLARS SHALL BE
23 PAID FOR EACH SUBSEQUENT YEAR UP TO A MAXIMUM OF TWENTY-TWO DOLLARS. This
24 penalty shall not be assessed against applicants who furnish adequate proof
25 that the dog to be licensed has been in their possession in Arizona less than
26 thirty consecutive days.

27 B. If the board of supervisors adopts a license fee, the board shall
28 provide durable dog tags. Each dog licensed under the terms of this article
29 shall receive, at the time of licensing, such a tag on which shall be
30 inscribed the name of the county, the number of the license, and the ~~date on~~
31 YEAR IN which it expires. The tag shall be attached to a collar or harness
32 which shall be worn by the dog at all times ~~while running at large~~, except
33 as otherwise provided in this article. Whenever a dog tag is lost, a
34 duplicate tag shall be issued upon application by the owner and payment of
35 a fee established by the board of supervisors.

36 C. The board of supervisors may set license fees that are lower for
37 dogs permanently incapable of procreation. An applicant for a license for
38 a dog claimed to be incapable of procreation shall furnish adequate proof
39 satisfactory to the enforcement agent that such dog has been surgically
40 altered to be permanently incapable of procreation.

41 D. All fees and penalties shall be deposited in the rabies control
42 fund pursuant to section 11-1011.

43 E. Any person who knowingly fails within fifteen days after written
44 notification from the county enforcement agent to obtain a license for a dog
45 required to be licensed, counterfeits an official dog tag, removes such tag

1 from any dog for the purpose of intentional and malicious mischief or places
2 a dog tag upon a dog unless the tag was issued for that particular dog is
3 guilty of a class 2 misdemeanor.

4 Sec. 3. Section 11-1012, Arizona Revised Statutes, is amended to read:

5 11-1012. Dogs not permitted at large; wearing licenses

6 A. Neither a female dog during her breeding or mating season nor a
7 vicious dog shall be permitted at large.

8 B. In a rabies quarantine area, no dogs shall be permitted at large.
9 Each dog shall be confined within an enclosure on the owner's property, or
10 secured so that the dog is confined entirely to the owner's property, or on
11 a leash not to exceed six feet in length and directly under the owner's
12 control when not on the owner's property.

13 C. Any dog over the age of four THREE months running at large shall
14 wear a collar or harness to which is attached a valid license tag. Dogs THAT
15 ARE used for control of livestock, or ~~white~~ being used or trained for hunting
16 or dogs, ~~white~~ being exhibited or trained at a kennel club event or dogs
17 ~~white~~ engaged in races approved by the Arizona racing commission, and such
18 dogs while THE DOGS ARE being transported to and from such events, need not
19 wear a collar or harness with a valid license attached provided that they are
20 properly vaccinated, licensed and controlled.

21 D. No person in charge of any dog shall permit such dog in a public
22 park or upon any public school property unless the dog is physically
23 restrained by a leash, enclosed in a car, cage or similar enclosure, or
24 being exhibited or trained at a recognized kennel club event, public school
25 or park sponsored event.

APPROVED BY THE GOVERNOR MAY 6, 2003.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 6, 2003.

Passed the House March 10, 2003,

Passed the Senate April 29, 2003

by the following vote: 37 Ayes,

by the following vote: 18 Ayes,

20 Nays, 3 Not Voting

12 Nays, 0 Not Voting

Jake Flake
Speaker of the House

K. L. Blumett
President of the Senate

Norman L. Fyfe
Chief Clerk of the House

Charmian B. Bunting
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

30 day of April, 2003

at 12:21 o'clock P M.

Sandra Hamrick
Secretary to the Governor

Approved this 6 day of

May, 2003,

at 2 o'clock P M.

Jan Napolitano
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 6 day of May, 2003,

at 4:26 o'clock P M.

Janice L. Brewer
Secretary of State

H.B. 2121